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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/720,810	11/24/2003	John R. Haynes	12715-41	5366
26799	7590	11/28/2006	EXAMINER	
IP LEGAL DEPARTMENT TYCO FIRE & SECURITY SERVICES ONE TOWN CENTER ROAD BOCA RATON, FL 33486			PREVIL, DANIEL	
			ART UNIT	PAPER NUMBER
			2612	

DATE MAILED: 11/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/720,810

Applicant(s)

HAYNES, JOHN R.

Examiner

Daniel Previl

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-58 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-58 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 5/23/06/9/8/06
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

This action is responsive to communication filed on September 9, 2006.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Deeds (US 6,710,715) in view of Sweatt (US 6,633,240).

Regarding claims 1, 25, 48, 54, Deeds discloses a fire alarm system (col. 8, line 4) comprising: a controller (control/timing 114 in fig.1); at least one hazard detector that detects any one of fire, heat, and smoke and that communicates with the controller via a network (fig. 1; col. 7, lines 19-22); at least one notification appliance in communication with the controller via the network (fire sensor 110 in communication to control timing 110 in fig. 1).

Deeds discloses all the limitations above but fails to explicitly disclose a warning receiver, separate and distinct from any hazard detector, the warning receiver receiving a warning alert message from a source external to the fire alarm system, the warning receiver providing at least a part of the received warning alert message to the controller, the controller, in response to the warning alert message, causing at least one notification appliance to notify based at least in part on the received warning alert message.

However, Sweatt discloses a warning receiver 18, separate and distinct from any hazard detector 16, the warning receiver 18 receiving a warning alert message from a source external to the fire alarm system (fig. 1, col. 2, lines 65-67; col. 3, lines 1-6), the warning receiver 18 providing at least a part of the received warning alert message to the controller (transmitter 20 and the processor 48 in fig. 1; col. 3, lines 27-35), the controller (transmitter 20 and processor 48 in fig. 1), in response to the warning alert message, causing at least one notification appliance to notify based at least in part on the received warning alert message (col. 3, lines 30-67; col. 5, lines 4-29).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Sweatt's warning receiver in Deeds. Doing so would modify Deeds's system with Sweatt's warning receiver in order to alert and evacuate efficiently people in case of fire or other natural disaster thereby saving lives in such situations as taught by Sweatt (col. 1, lines 5-32).

Regarding claims 2, 26, 49, Deeds discloses the fire alarm notification appliance providing notification in response to detection of a change in alert status of the warning alert (col. 7, lines 56-67; col. 8, lines 1-12).

Regarding claims 3-4, 27-28, Deeds discloses a government Agency (NOAA) (col. 9, lines 37-40).

Regarding claims 5-6, 29-30, Deeds discloses the warning receiver being a NOAA weather radio receiver (col. 9, lines 37-54).

Regarding claim 7, Deeds discloses the warning receiver comprising a radio receiver equipped to receive the warning alert (col. 9, lines 37-54).

Regarding claim 8, Deeds discloses the warning receiver comprising an interface to a radio receiver equipped to receive the warning alert (col. 9, lines 37-54).

Regarding claims 9, 33, Deeds discloses one relay contact (col. 9, lines 29-32).

Regarding claims 10, 34, Deeds discloses the interface comprising a serial interface (col. 9, lines 29-37).

Regarding claims 11, 35, Deeds and Sweatt discloses all the limitations in claim 1 and Sweatt further discloses the warning detector receiving warning alerts via at least one of: Internet, telephone, and cellular phone (col. 2, lines 57-64). Therefore, it would have obvious to one of ordinary skill in the art at the time the invention was made to incorporate Sweatt's telephone in Deeds in order to receiver the alert signals quickly and accurately thereby notifying people of impending dangers immediately for the safety purposes as taught by Sweatt (col. 1, lines 5-57).

Regarding claims 12, 36, Deeds discloses the fire alarm notification appliance providing notification of the detected warning alert by transmitting a voice message (abstract)).

Regarding claims 13, 37, Deeds discloses the fire alarm notification appliance providing notification of the detected warning alert by transmitting a predefined audio pattern (col. 9, lines 42-54).

Regarding claims 14, 38, the examiner takes the official notice that " the fire alarm notification appliance providing notification of the detected warning alert by transmitting a predefined flash pattern " is well known in the art.

Regarding claims 15, 39, Deeds discloses the notification appliance providing different notifications for different warning alerts col. 9, lines 58-67; col. 10, lines 1-17).

Regarding claims 16, 40, Deeds discloses a delay module which provides a delay before transmission of the notification warning (col. 10, lines 52-66).

Regarding claims 17, 41, Deeds discloses a verification module which allows confirmation of the validity of the warning alert before transmission of the notification (col. 10, lines 52-67; col. 11, lines 1-29).

Regarding claim 18, Deeds discloses a battery backup system (fig. 1, ref. 106).

Regarding claims 19, 42, Deeds discloses a visual annunciator comprising plural visual indicators used to indicate a current alert level (abstract).

Regarding claims 20, 43, Deeds discloses visual indicators being light emitting diodes (col. 14, lines 23-25).

Regarding claims 21, 44, Deeds discloses the visual indicators being color-coded (LED) (col. 14, lines 23-39).

Regarding claims 22, 45, Deeds discloses the visual annunciator being incorporated into a fire alarm control panel (fig. 4; col. 14, lines 23-39).

Regarding claims 23, 46, Deeds discloses the visual annunciator being a stand-alone device in communication with the warning detector (fig. 4; col. 14, lines 23-39).

Regarding claims 24, 47, Deeds discloses the visual annunciator being incorporated into the fire alarm notification appliance (fig. 4; col. 23-39).

Regarding claim 31, Deeds discloses the warning alert being detected by a radio receiver equipped to receive the warning alert, the radio receiver being integrated into the fire alarm system (col. 9, lines 37-54).

Regarding claim 32, Deeds discloses the warning alert being detected by a radio receiver equipped to receive the warning alert, the radio receiver interfaced with the fire alarm system (col. 9, lines 37-54).

Regarding claim 50, Deeds discloses a fire alarm system (col. 8, line 4) comprising: a system controller (control/timing 114 in fig.1); a plurality of fire alarm notification appliances in communication with the system controller (fire sensors 210 with control timing 214 in fig. 2); a visual annunciator comprising plural color-coded indicators, the visual annunciator being in communication with the system controller and indicating a current level in response to a message from the system controller (abstract; col. 12, lines 40-44; col. 14, lines 23-39).

Deeds discloses all the limitations above but fails to explicitly disclose a warning receiver in communication with the system controller, the warning receiver, separate and distinct from any fire alarm notification appliance, detecting a warning alert from external source, the warning receiver providing at least a part of the received warning alert to the system controller.

However, Sweatt discloses a warning receiver 18 in communication with the system controller 48, the warning receiver 18, separate and distinct from any fire alarm notification appliance 16, detecting a warning alert from external source (NOAA in col. 2, lines 65-67; col. 3, lines 1-6), the warning receiver providing at least a part of the received warning alert to the system controller (col. 3, lines 30-67; col. 5, lines 4-29).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Sweatt's warning receiver in Deeds. Doing so would modify Deeds's system with Sweatt's warning receiver in order to alert and evacuate efficiently people in case of fire or other natural disaster thereby saving lives in such situations as taught by Sweatt (col. 1, lines 5-32).

Regarding claim 51, Deeds discloses the color-coded indicators being light emitting diodes (col. 14, lines 23-39).

Regarding claim 52, Deeds discloses the visual annunciator being incorporated into any of: the system controller and at least one of the fire alarm notification appliances (col. 14, lines 23-39).

Regarding claim 53, Deeds discloses the visual annunciator being a stand-alone device in communication with the warning detector (col. 14, lines 23-39).

Regarding claims 55, Deeds and Sweatt disclose all the limitations in claim 54 and Sweatt further discloses the warning detector detects security/terrorist warning alerts from the external source (col. 2, lines 65-67; col. 3, lines 1-6). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Sweatt's terrorist alert in Deeds. Doing so would modify Deeds's system with Sweatt's terrorist alert in order to broadcast alerts about impending and ongoing terrorist activities thereby precluding people from being injured by apprehending the terrorist prior attacking as taught by Sweatt (col. 1, lines 5-32).

Regarding claim 56, Deeds and Sweatt disclose all the limitations in claim 54 and Sweatt further discloses the visual annunciator indicates a current threat level for homeland security (col. 3, lines 1-6). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Sweatt's Homeland security in Deeds. Doing so would modify Deeds's system with Sweatt's Homeland security in order to broadcast alerts about impending and ongoing terrorist activities thereby precluding people from

being injured by apprehending the terrorist prior attacking as taught by Sweatt (col. 1, lines 5-32).

Regarding claim 57, Deeds discloses determining at least one recommendation based on the warning alert and issuing the alert based at least in part on the recommendation (col. 8, lines 1-46).

Regarding claim 58, Deeds discloses the visual annunciator indicates a current alert level after a detected change in alert status (col. 7, lines 43-55).

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Gropper (US 5,444,433) discloses a modular emergency or weather alert interface system.

Tarlton et al. (US 6,462,665) discloses a method and apparatus for sending a weather condition alert.

Lauterbach et al. (US 5,278,539) discloses alerting and warning system.

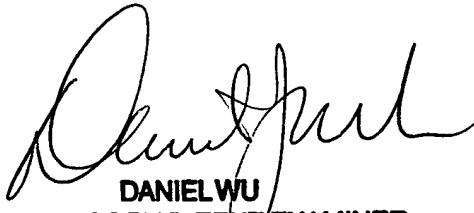
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel Previl whose telephone number is (571) 272-2971. The examiner can normally be reached on Monday-Thursday. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel WU can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Daniel Previl
Examiner
Art Unit 2636

DP
November 16, 2006.


DANIEL WU
SUPERVISORY PATENT EXAMINER
11/27/06